

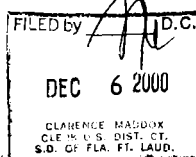
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,
Plaintiff,

Vs.

Case No. 00-6328-CR- FERGUSON

SMLX TECHNOLOGIES,
Defendant.



NOTICE OF CRIMINAL TRIAL

PLEASE TAKE NOTICE that the above-entitled cause is hereby set for **Criminal Jury Trial** before the Honorable **Wilkie D. Ferguson, Jr.**, Judge for the United States District Court, Southern District of Florida, at **299 East Broward Boulevard, Second Floor, Courtroom 207A, Fort Lauderdale, Florida**, during the two-week period commencing **Tuesday January 16, 2001**, or as soon thereafter as the case may be called.

PLEASE TAKE FURTHER NOTICE that a Calendar Call will be held on **Monday, January 08, 2001 at 3:15 p.m.**, before Judge Ferguson, at the aforementioned address. All Counsel Must Be Present.

If the case is a Jury Trial, counsel shall prepare and submit to the Court, at the **Calendar Call**, any proposed Voir Dire questions necessary to elicit information concerning prospective jurors other than identity and general background information. In addition, counsel shall submit to the Court, at the

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Calendar Call, proposed jury instructions, in typed form, including substantive charges and defenses. Eleventh Circuit Pattern Instructions, 1985 Edition, may be referred to by listing the instruction number and page number only.

Fed.R.Crim.P. 16(a) was amended December 1, 1991. Government counsel shall comply with the rule as amended when responding to the Standing Discovery Order issued in this cause. Supplemental discovery responses provided “out-of-time” will include a statement in the first paragraph of the response explaining why the Standing Discovery Order was not complied with in a timely fashion.

Federal Rule of Evidence 404(b) was amended December 1, 1991. Government counsel shall comply with the rule as amended by advising the Defendant with specificity of its intention to introduce evidence pursuant to Rule 404(b), during its case-in-chief, for impeachment rebuttal.

All counsel shall submit to the Court, at the **Calendar Call**, a typed list of proposed witnesses and/or exhibits to be presented at trial. All exhibits to be offered into evidence must be pre-labeled in accordance with the proposed exhibit list. Exhibit labels shall include the case number. Labels may be obtained from the Clerk of Court. Counsel shall also submit to the court in writing any Motions in Limine regarding trial issues at the **Calendar Call**.

Counsel are instructed that arrangements for appropriate clothing for Defendants in custody must be made at least **seven (7) days** prior to the scheduled

trial date.

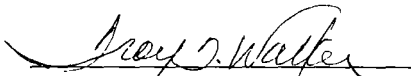
Counsel are further instructed to notify the Court, at least 24 hours prior to trial, if any interpreter is required.

If either party seeks to introduce transcripts(s) at trial, the moving party shall present a copy to all counsel not less the **ten (10) day** prior to the scheduled trial date. If a transcript cannot be agreed upon, each party shall produce its own version of the transcript for presentation to the trier of fact. Government counsel shall notify the case agent/client agency of this requirement.

All motions filed shall be accompanied by a written statement certifying that counsel for the moving party has conferred with opposing counsel in a good faith effort to resolve by agreement the subject matter of the motion.

Any motions for continuance must be in writing and filed with the Clerk of Court as least 48 hours prior to the **Calendar Call**.

DONE AND ORDERED at Fort Lauderdale, Florida this 6th day of December 2000.


TROY T. WALKER
DEPUTY CLERK

Robert Nicholson, AUSA
Ben Kuehne, Esq